



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/003, 223	01/11/93	BOEHM	M 200/241

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12M2/0824

KILLOS, P

ART UNIT	PAPER NUMBER
1204	4

DATE MAILED: 08/24/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), 30 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-63 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims _____ are rejected.

5. Claims _____ are objected to.

6. Claims 1-63 are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable. not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed on _____ has been approved. disapproved (see explanation).

12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____ ; filed on _____

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

Art Unit 1204

Pursuant to authority delegated by the commissioner of Patents under 35 USC 121 restriction is hereby required between the distinct inventions claimed in the present application and identified as follows.

- I Claims 1-4 directed to ligands
- II Claims 5-25 directed to compounds
- III Claims 26 and 27 directed to pharmaceutical composition
- IV Claims 28-62 directed to method of treatment
- V Claims 63 directed to a method for purification.

The above inventions are regarded as distinct because they obviously are separate entities and/or they are patentable in view of each other.

It is to be noted that Congress has provided the Commissioner with discretion in 35 USC 121 to restrict the application to one of two or more distinct inventions. 35 USC 121 does not purport to distinguish between two or more distinct inventions recited in one claim vis-a-vis two or more distinct inventions recited in more than one claim. Accordingly, applicants are required to limit the application to one of the above distinct inventions. Applicants are further required to elect a single disclosed species for the purpose of examination.

To be complete, applicants response must include a

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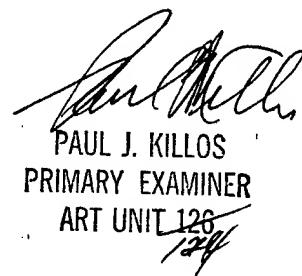
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Art Unit 1204

provisional election even though the requirement is traversed.

A telephone call was made to H. E. Melville on 28 July 1993 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication should be directed to Paul J. Killos at telephone number (703) 308-0135.



PAUL J. KILLOS
PRIMARY EXAMINER
ART UNIT 126
TZM

KILLOS:ebw
August 02, 1993